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SUBJECT: RIGHT-WING KNESSET MEMBERS PROPOSE LOYALTY BILLS

Classified By: Political Counselor Marc J. Sievers for reasons 1.4 (b),
(d).

11. (C) SUMMARY. Israel's Knesset is in various stages of considering several bills introduced by right-wing Knesset Members (MKs) intended to counter manifestations of anti-Israeli politics among Israeli Arabs. The measures include criminalizing participation in annual protests characterizing Israel's founding as a "nakba" or catastrophe, authorizing a one-year jail term for denying Israel's existence as a Jewish and democratic state, and requiring those seeking Israeli identity cards to pledge loyalty to Israel. Debate over these proposals intensified in late May when a key committee initially voted to approve one of the measures. Opponents rallied to stall that bill and build opposition -- including from within the coalition -- against the other initiatives. While there certainly exist more supporters for such legislation in this Knesset than the last, many legislative roadblocks remain, making passage for most, if not all, of this legislation unlikely in the near future. END SUMMARY.

LOYALTY BILLS DRAW INCREASING ATTENTION

12. (U) Right-wing MKs over the past two months have introduced a series of legislative measures that focus on ensuring Israeli citizens' loyalty to Israel as a Jewish state. The bills not-so-subtly target Israel's twenty percent Arab minority. Most were introduced in the previous Knesset but languished due to limited political support. Now, however, they have received greater scrutiny because the Netanyahu government's right-wing composition appears to some to increase the chances the legislation will advance.

WATCH WHAT YOU SAY, DO

13. (U) Three measures have garnered the most attention. The first, introduced by MK Alex Miller of Yisrael Beitenu, is the so-called "Nakba" bill, which calls for a prison sentence of up to three years for anyone who publicly observes Nakba ("catastrophe" in Arabic) Day (note: many Arab communities in Israel and in the West Bank and Gaza, along with some Israeli university campuses and other locales, annually commemorate Palestinian refugees' displacement upon Israel's founding in 1948). The Knesset's Ministerial Legislation Committee (composed exclusively of government ministers) voted in late May to support this measure, which normally indicates that the bill has a legitimate chance to become law. Following the vote and the mostly negative commentary in the press, however, several ministers appealed the decision, sending it back to the committee for reconsideration. Cabinet Secretary Zvi Hauser is working on a compromise that, instead of outlawing such demonstrations, would deny government funding to municipalities or organizations that organize or fund Nakba events.

14. (U) The second bill, introduced by Ze'ev Orlev of the Jewish Home party, calls for a one-year jail term for anyone who denies Israel's existence as a Jewish and democratic state. The legislation on May 27 passed a preliminary reading in the Knesset by a vote of 47-34. The third bill, sponsored by Knesset Law Committee chair and Yisrael Beitenu MK David Rotem, would require anyone seeking citizenship, including people moving to Israel and 16 year-olds obtaining their first identity cards, to pledge loyalty to Israel as a Jewish state, and committing themselves to perform military or national service. The Ministerial Legislation Committee on May 31 rejected the measure.

THE DEBATE SURROUNDING THE DEBATE

15. (SBU) The bills sparked only modest public debate prior to the Ministerial Legislation Committee's initial approval of the Nakba bill. It appears, however, that that vote jolted centrists and those on the left to work more forcefully against the bills. Likud ministers Bennie Begin, Dan Meridor, and Michael Eitan, along with Labor Ministers Isaac Herzog, Avishay Braverman, and Shalom Simhon formally submitted appeals to the ministerial committee, with Eitan noting that the law "will prove ineffective and will do nothing but smear freedom of speech in Israel" while making heroes out of those who observe Nakba Day. Labor party members went further in their criticism. Braverman labeled these proposals immoral and undemocratic, declaring that they only create tension with the Israeli-Arab population, while Labor MK Yuli Tamir predicted that proposals like these would

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lead to rising hate and violence. Yisrael Beitenu's Miller, however, noted the violence surrounding Nakba Day events in 2008 and declared that his legislation is the first step in stopping organized incitement against the state. Other proponents pointed to a need for laws that formally link the rights and benefits of Israeli citizenship to the corresponding obligation to support the state.

UPHILL CLIMB FOR PASSAGE IN THE KNESSET

16. (C) These bills face numerous hurdles on the path to becoming law. The bills appear to lack clear support within the coalition. The Likud and Labor ministers who submitted appeals following the ministerial committee's initial approval of the Nakba bill have pledged to work together to ensure its defeat, and political commentators speculate that the committee will reject the measure if and when it is reconsidered. The ministerial committee already has rejected the loyalty oath proposal, meaning it has very little chance of advancing in its current form. The other measure, criminalizing denial of Israel's existence as a Jewish state, did not go through the ministerial committee, so it is difficult to measure its true support within the coalition. It has passed a preliminary reading, but many bills reach that stage without becoming law. Even if the bills gain some traction within the government, supporters must prevail in three separate votes in order for the legislation to become law. Furthermore, prior to the third vote, opponents have at least two opportunities to amend the legislation. In sum, while the make-up of this Knesset does offer a more "hospitable" environment for such legislation, we do not expect many, if any, of these measures to become law in the near future.

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